

**KIMBERLEY PROCESS COMMUNIQUE' FOR THE HYBRID PLENARY MEETING  
HELD IN (GABORONE, BOTSWANA) ON 1-4 NOVEMBER 2022**

1. The Eighteenth Kimberley Process (KP) Plenary Meeting was convened under the Chairmanship of the Republic of Botswana from the 1-4 November 2022, in a hybrid format. The in-person meetings were held in Gaborone, Botswana.
2. With its primary objective being the prevention of the flow of conflict diamonds, while helping to protect legitimate trade in rough diamonds, the KP remains till this day a unique tripartite initiative that brings together stakeholders in Government, the industry and civil society coalition in its quest to prevent conflict diamonds from entering the diamond trade.
3. The Kimberley Process has proven to be an effective multilateral tool for conflict prevention by stemming the flow of conflict diamonds. It has had valuable developmental impact in improving the lives of people in some diamond mining communities and contributing to the achievement of the UN Sustainable Development Goals as espoused in Agenda 2030.
4. The 2022 Plenary saw the participation of the Kimberley Process tripartite, represented by governments, industry and civil society. For the 2022 Plenary held in Gaborone, 52 Participants, 2 Observers, and 2 Independent Observers registered and attended the meeting. The Plenary appreciated the efforts of the Republic of Botswana in promoting the continuation of work in a hybrid format as it allowed flexibility, inclusiveness, transparency for Participants and Observers who could not travel.
5. Participants and Observers thanked the Republic of Botswana for its leadership in 2022 and welcomed the Republic of Zimbabwe as incoming KP Chair for 2023.

**Work of the Working Groups and Committees**

6. The Plenary appreciated the commendable work by the Working Groups and Committees to ensure that the Kimberley Process delivers and keeps pace with evolving challenges and noted the adoption of the Administrative Decision on the Ad Hoc Committee on Review and Reforms.

7. The Plenary reminded the Working Bodies of the need to observe the established rules on the appointment of Chairs and Vice Chairs of the Working Bodies in accordance with 2017 KP Administrative Decision "Chairmanship of Kimberley Process Working Bodies", which provides, inter alia, that a KP Working Body should solicit volunteers, on the timeline consistent with this AD, for the positions of Chair and Vice Chair at the end of their third year of service.
8. The Plenary further noted the good work carried out by the Working Groups and Committees in fulfilling their respective mandates, as reported below:

### **WORKING GROUP OF DIAMOND EXPERTS (WGDE)**

9. The Plenary noted the continued valuable contribution of the members of the Working Group of Diamond Experts and its sub-groups, who met in excess of 30 times in 2022.
10. The Plenary accepted the recommendation of the Working Group of Diamond Experts, that its Chair for the period 2023 to end of 2025 would be the World Diamond Council, and that the Working Group of Diamond Experts will seek nominations for its Vice-Chair in early 2023.
11. The Plenary noted the ongoing work of the Working Group of Diamond Experts in collecting responses from Participants to the surveys on the confiscation and disposition of rough diamonds and the hand-carrying of rough diamonds and urged all Participants to complete these surveys as soon as possible.
12. Furthermore, the Plenary took note that the Working Group of Diamond Experts intended to restart surveys on valuation methodologies and digitalization.
13. The Plenary took note of the Working Group of Diamond Experts reminder that different valuation methodologies are used to assign values to rough diamonds, but as a best practice the US\$ value that appears on a KPCS certificate should match the value of the rough diamonds listed on the accompanying invoice.
14. The Plenary noted that the Working Group of Diamond Experts Scientific Subgroup, which now included notable international experts, was working to determine if there were scientific techniques available to accurately fingerprint the origin of diamonds. The subgroup presented its 2-year work plan and indicated a preliminary budget to carry out this work. The Working Group of Diamond Experts will seek

voluntary financial contributions from Participants and Observers to cover the costs of this research.

- 15.** The Plenary endorsed the continued work of the Working Group of Diamond Experts Diamond Expert Team, in particular with respect to monitoring shipments from the CAR compliant zones, to determine adherence to the CAR diamond footprint.
- 16.** The Plenary noted that the Working Group of Diamond Experts reminded all Participants that, according to the Core Document, KPCS Certificates should only be issued for rough natural diamonds; and only rough diamonds exported under WCO HS headings of 7102.10, 7102.21 or 7102.31 should receive a KPCS Certificate.
- 17.** The Plenary endorsed new Technical Guideline No.17, on potentially diamondiferous exploration samples.
- 18.** The Plenary noted the intention of the Working Group of Diamond Experts to update and collate all technical guidelines and best practices that were still applicable into one combined resource available to all Participants.
- 19.** The Plenary noted the ongoing discussion in the Working Group of Diamond Experts on continuing the cooperation between the Kimberley Process and the World Customs Organization and the intention to work on reviewing the explanatory notes of the harmonized system code. The Plenary encourages the Working Group of Diamond Experts to advise the WCO on the processes and technologies now used in diamond cutting and polishing, and to engage with the WCO to update the accompanying explanatory notes of the relevant HS codes.
- 20.** The Plenary noted the ongoing work of the Working Group of Diamond Experts' Subgroup on Digitalization.
- 21.** The Plenary welcomed the completion of work of TET and the final report delivered.
- 22.** The Plenary thanked WDC for leading the work of TET since its inception, and also all members of TET and candidates for hosting the KP Secretariat (KPS).
- 23.** Based on TET report the Plenary decided to establish the KPS with the location of the Secretariat to be in Gaborone, Botswana.

- 24.** Based on TET report the Plenary decided that the KPS will be financed the first three years by
- A contribution by the WDC of 83.333 USD per year,
  - A contribution by the host country which will be 20% of the KPS budget in year 1, 20% in year 2 and 22,5% in year 3, and
  - A contribution by each of the KP Participants: of 20.000 USD for any participant who has registered more than 1 bln USD of combined import and export under the KP system; 10.000 USD for those with less than 1 bln USD but more than 500 mln USD; 5.000 USD for those with less than 500 mln USD but more than 100 mln USD; 2.000 USD for those with less than 100 mln USD but more than 0 USD; and 1.000 USD for those with 0 USD.
- 25.** The Plenary acknowledged that the financial commitment made to the KPS by any of the KP Participants, is subject to the Participants' annual budget cycle and their laws and that KP participants still have to consult internally the availability and authorization of funds. Furthermore, funds transferred in support of the KPS budget, will be disbursed to a legal entity under the national law of the KPS host country. The Plenary underscored that while these contributions are not legally binding, such contributions are critical to the proper functioning of the KPS.
- 26.** To prepare for the physical launch of the KPS in Botswana the Plenary decided to create a KPS Taskforce under the WGDE, with membership and chairmanship to be determined by the WGDE in January 2023. The KPS Taskforce mandate will include drafting and making recommendations for adoption by the plenary on the following:
- A. The TOR for the KPS,
  - B. The Host country arrangement and
  - C. The selection of KPS Secretary.
- KPS Taskforce to make final proposals and report to 2023 Plenary.
- 27.** The Plenary extended the mandate of the ASM for 2023. ASM agreement with WDC will be terminated once the KPS starts its work on January 1st, 2024.

### **Working Group on Artisanal and Alluvial Production (WGAAP)**

- 28.** The Plenary welcomed the report of WGAAP on the work accomplished by the Group in 2022.
- 29.** The Plenary welcomed the Republic of Mali as a provisional member of WGAAP.

- 30.** The Plenary welcomed the presentation made by the Republic of Gabon on the progress towards the finalisation of the procedures to commence rough diamond exports and encouraged Gabon to complete this process as soon as possible.
- 31.** The Plenary noted the creation of a sub-group of the WGAAP tasked to conduct pilot research on the diamond revenues collected by the ASM producing countries along the value chain as well as the benefits for the communities. The subgroup comprises Central African Republic, Civil Society Coalition, Côte d'Ivoire, DDI, Sierra Leone and others that may wish to join.
- 32.** The Plenary welcomed updates by Angola, Ghana, Guyana and Zimbabwe, on the continued efforts to improve the KPCS implementation in their respective countries.
- 33.** The Plenary acknowledged the Republic of Cameroon for hosting the High-Level Workshop on the Fight Against Fraud and Smuggling of Rough Diamonds in Central Africa held in late December 2021 in the remit of the Regional Cooperation in Central Africa.
- 34.** The Plenary noted that in the occasion of celebrating the 10<sup>th</sup> anniversary since its admission to the KP, the Republic of Cameroon will be holding a workshop on Lessons Learned as a KP Participant, and therefore extended the invitation to the KP Participants and observers to join this event.
- 35.** The Plenary welcomed the presentation by the Civil Society Coalition on Sharing Experience on the Implementation of the Washington Declaration in the Mano River Union (MRU) countries. The Plenary recommended enhancing the implementation of both the Washington Declaration and Moscow Declaration to the ASM diamond-producing countries.
- 36.** The Plenary took note of the lessons learned during the second phase of the project on the implementation of the Regional Approach in the MRU countries. The Plenary acknowledged with appreciation the funding of this project, including its planned extension to the third phase, by the EU and the German Federal Ministry for Economic Cooperation and Development.
- 37.** The Plenary noted the discussion on the issue of confiscated diamonds and encouraged Participants to complete the survey circulated by the WGDE. Further the plenary encouraged the sub-group to finalise its Terms of Reference.
- 38.** The Plenary welcomed the established collaboration, including the signed memorandum, between the WGAAP and DELVE/World Bank in improving the

understanding and the functioning of the artisanal and small-scale mining sector, particularly as relates to data collection and reporting on ASM-mined diamonds, and capacity building of governments entities responsible for monitoring ASM diamond mining and trade. Further, the Plenary took note of the currently discussed pilot project on enhancing the local benefits of ASM and mitigating negative impacts through evidence-based management and an improved data collection system, targeting five countries namely Brazil, DRC, Guyana, Guinea and Sierra Leone.

### **Working Group on Statistics (WGS)**

- 39.** The Plenary welcomed the report of Working Group on Statistics (WGS) on the work done this year.
- 40.** The Plenary noted the update to the KP Rough Diamond Statistics website to include new members Mozambique, Qatar and Kyrgyz Republic to the list of KP countries. All KP Participants uploading statistical data using the Excel template must download the revised version of the template prior to reporting their KP statistics to the website.
- 41.** The Plenary noted the pending revision to the KP Rough Diamond Statistics website which will remove the European Union (EU) member states from the country drop down lists except for the 'search' section of the site. Therefore, Participants reporting trade with EU member states must begin reporting trade with the EU. However, all prior years' reporting of trade with EU member states will not be affected by this change. The WGS will notify all KP Participants once the date of implementation has been made.
- 42.** The Plenary noted the WGS consensus for the selection of the United States and India as the Chair and Vice Chair of the Working Group on Statistics for the next 3 years in accordance with the 2017 AD on Chairmanship of Kimberley Process Working Bodies. The WGS began to solicit volunteers for the position of WGS Chair and Vice Chairmanship beginning February 2022. The WGS Chair requested all interested parties to submit their interest for the positions to the Chair or Vice Chair of the WGS 30 days prior to the opening of the Intersessional as in accordance with the Administrative Decision. As a result, there were 2 volunteers who requested interest in these positions. A discussion was held by the WGS at the June 9, 2022, teleconference meeting and a consensus was reached by the WGS to accept the United States of America and India requests for a 3-year term as WGS Chair and Vice Chair, respectively. There were no objections.

43. The Plenary noted the WGS draft Administrative Decision on conducting Bilateral Reconciliation of Trade and Certificate Count Data between Kimberley Process Trading Partners. The WGS could not reach consensus on this matter and will continue deliberations in early 2023 by teleconference calls.
44. The Plenary noted the WGS' implementation of the Data Anomaly Questionnaire process for 2022 which identifies significant anomalies or data entry errors reported in advance of the annual statistical analysis. Participants identified with significant anomalies will be sent a questionnaire to assess the cause(s) of the anomaly.
45. The Plenary noted the commitment from the Committee on Participation and Chairmanship to enforce the provision of the *2005 AD on Guidelines for the Participation Committee with respect to statistical non-compliance* for Armenia, Bangladesh, Brazil, Eswatini, Gabon, Lesotho, Mauritius, Namibia, and the Russian Federation. WGS will follow up with Participants about technical compliance requirements.
46. The Plenary noted the WGS' completion of all statistical analyses for 2021. The statistical analyses will be forwarded for review and response to the observations and questions indicated in the report.
47. The Plenary noted the WGS' continued commitment to provide statistical support and assessment of proposed exports from compliant zones in Central African Republic (CAR) as established in accordance with the *AD on the Resumption of Exports of Rough Diamonds from CAR and its revised Operational Framework*. Plenary noted the WGS statistical input into the CAR annual report.
48. The Plenary noted the WGS' continued efforts in providing education and outreach. The WGS provided training on the use of the KP Rough Diamond Statistics website and the preparation and analysis of the annual statistical analyses report.

### **Working Group on Monitoring (WGM)**

49. The Plenary acknowledged submission of annual reports by all KP Participants and Observers for the calendar year 2021, and that annual report assessments have been completed by all WGM members.
50. The Plenary noted that WGM Vice-Chair will analyze the results of the annual reports assessments and send feedback to Participants and Assessors for follow-up as required.

- 51.** The Plenary noted the finalisation and adoption by WGM of the report for the Review Visit to Zimbabwe that took place in May 2022. The Plenary also noted that a Review Visit to Sierra Leone took place in October 2022 and a report will be submitted once it has been completed.
- 52.** The Plenary noted that WGM has received communication from Participants who would like to host Review Visits in 2023 and 2024 after the WGM Chair wrote letters to them requesting for dates. Some Participants have not replied and a follow up will be made by the WGM Chair, who may in the process refer some cases to the CPC.
- 53.** The Plenary noted that some KP Participants have been inactive for a long time and recommends that the KP Chair writes to them reminding them of their responsibilities to attend KP meetings and activities.
- 54.** The Plenary noted WGM's decision to confirm the United Kingdom as a Member of the Working Group following its one (1) year as a Provisional Member.
- 55.** The Plenary noted that WGM is expecting a written response from UN, MINUSCA and CAR after the KP Chair wrote letters to them regarding consideration of a Review Mission to CAR. The WGM Chair will follow up on a regular basis for a response.
- 56.** The Plenary noted that the CAR MT commended the Government of CAR for making marked improvements in the quality and timeliness of the information it is required to provide to the MT for monitoring under the Revised Operational Framework and recognized that partnerships between the CAR and certain KP Participants have helped strengthen compliance with the KPCS. The CAR MT presented several remaining challenges to traceability. The CAR MT further documented that only eight of the CAR's diamond-producing subprefectures are currently KP-compliant, and that diamond-production continues in non-compliant subprefectures. The CAR has refuted the CAR MT report. The Plenary awaits the results of the next review mission to CAR to assess the implementation of the revised operational framework.

### **Committee on Rules and Procedures (CRP)**

- 57.** The Plenary welcomed the report of CRP on the work done in 2022.

58. The Plenary welcomed the decision of the CRP to initiate in 2023 the solicitation of volunteers for Chair and Vice Chair of the Committee.
59. The Plenary noted the discussion on the indicative list of External Organizations as an Annexure to the 2018 KP Administrative Decision on engagement with external organizations. The indicative list can be amended by the decision of CRP.
60. The Plenary noted the CRP Chair will circulate the aforementioned indicative list among the Chairs of the KP Working Bodies for their consideration.
61. The Plenary noted that the sub-team on the Core Document of CRP made further progress as regards the consolidation of the Core Document enabling the provisional closure of several of its sections. The work outstanding relates to the Administrative Support, the Preamble and the definition of 'conflict diamonds'. Furthermore, the Plenary noted that given the areas of work to be finalised, the sub-team on the Core Document proposed that it will be placed under the Ad Hoc Committee on Review and Reform. The Plenary accepted this proposal as reflected in the adopted AD on the AHCRR.

### **Committee on Participation and Chairmanship (CPC)**

62. The Plenary welcomed the report of the CPC on the work done in 2022.
63. The Plenary noted that Indonesia remained statistically compliant as missing data was submitted.
64. The Plenary reaffirmed the commitment of the CPC to enforce the 2005 Administrative Decision on Guidelines for the Participation Committee with respect to statistical non-compliance.
65. The Plenary welcome UAE as KP Vice Chair 2023 .The Plenary noted the application of Belarus to become the 2024 KP Vice chair and will consider it further in 2023.
66. The Plenary welcomed the admission of the Republic of Belarus and the United Kingdom of Great Britain and Northern Ireland as provisional members of the CPC.
67. The Plenary welcomed the Republic of Botswana as the incoming Chair of the Committee on Participation and Chairmanship for 2023.

- 68.** The Plenary received and noted statement by the representative of the Central African Republic.
  
- 69.** The Plenary noted letters to the KP Chair from some KP Participants in advance of the plenary. There were divergent opinions with regards to the relevance of the contents of the letters to the mandate of the KP. As such, the issue was not brought forth for discussion within the plenary. Differences of opinion persisted in relation to how to reflect the letters in the Final Communique', including whether or not to refer to the specific issues communicated therein. As such, the letters have been included as an annex herein.



EUROPEAN COMMISSION  
Service for Foreign Policy Instruments

Director – Head of Service

Brussels,  
FPI/PMW/

Dear Chair of the Kimberley Process,

Dear Mr. Jacob Thamage,

Thank you for the invitation to the Kimberley Process Plenary on 1-4 November. The EU appreciates Botswana's high standards in responsible sourcing and management of natural resources, especially diamonds, and is looking forward to engaging constructively in the work of the various working groups.

The EU would also like to use this opportunity to reiterate its request made prior to the adoption of the agenda of the Intersessional held in June as per our letter of 5 May 2022. In line with the Rule 6.2 of the Rules of Procedure, the EU therefore calls for a space to be made at the Plenary to enable a discussion on the implications of the Russian aggression against Ukraine in the context of the Kimberley Process. You may also recall that the EU raised this matter at the recent technical meeting held in Dubai on 25-27 September.

The EU regrets that all efforts so far to have any meaningful debate on this important issue have been met with opposition. The EU is confident that with your good offices and Botswana's commitment to conflict prevention, the Plenary can engage in a discussion on this crucial matter. It goes to the heart of the Kimberley Process and is seriously undermining its legitimacy and credibility.

Please accept my warmest wishes. We look forward to continuing working with you.

Yours faithfully,

*[e-signed]*

Peter M. WAGNER



МИНИСТЕРСТВО ФИНАНСОВ  
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Chair of the Kimberley Process

Mr. Jacob Thamage

14.10.2022 № 22-05-07/99819

На № \_\_\_\_\_

Honorable Chair of the Kimberley Process,

Dear Mr. Jacob Thamage,

In less than a month, the KP Family is coming together in Gaborone for the Plenary session, which is supposed to be the major milestone of our common work in 2022 under your devoted chairmanship.

We are looking forward to achieving substantial results in carrying out relevant tasks of the KP for the benefit of Participants, local communities and the industry as a whole.

It is therefore deeply regrettable that EU continues its stubborn attempts to impose biased western political agenda on the current KP work – a crucial and unique mechanism of safeguarding the functioning of the diamond industry in the best interests of the countries and communities concerned.

We consider it to be yet another display of imperious and disrespectful attitude towards the majority of KP Participants, who clearly prioritize substantive work over blatant wire-pulling.

The deceitful demagoguery we are now facing has nothing to do with KP activities.

Detailed and substantive comments in this regard have already been openly articulated by the Russian side in due course.

We already had a number of discussions on the issue at the Intersessional and KP has clearly taken a position towards any and such attempts to politicize its agenda.

The Russian Federation therefore strongly objects to the provocative proposal made by the EU in its letter of 28 September 2022 Ref. Ares(2022)6682111.

We once again call on the parties concerned to act in a responsible and respectful way as it is customary within the KP.

Yours faithfully,

Vice-Minister of Finance  
of the Russian Federation



Alexey V. Moiseev



## МІНІСТЕРСТВО ФІНАНСІВ УКРАЇНИ

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21.10.2022 № 41000-1/2110/22-1  
На № \_\_\_\_\_ Від \_\_\_\_\_

Dear Chair of the Kimberley Process,

Dear Mr. Jacob Thamage,

Ukraine, represented by the State Gemological Centre of Ukraine, as the national KP Focal Point, on behalf of the Ministry of Finance of Ukraine welcomes Botswana as the KP Chair and expresses the hope that the upcoming Plenary meeting will be crowned with success and will contribute to strengthening the confidence of the entire world community in the KP and in its main goal – maintaining peace and sustainable development.

Ukraine would also like to take this opportunity to reiterate its request made before the June Intersessional Meeting, in accordance with our letter dated 16 May 2022, and to include in the Provisional agenda of the Plenary meeting issues that relate to the consequences of Russian aggression against Ukraine in the context of the activities of the KP and also provide an opportunity during the Opening session to make an Opening remarks to the official representative of Ukraine, Ambassador Extraordinary and Plenipotentiary of Ukraine in the Republic of South Africa and Botswana, Ms. Lyubov Abravitova.

The current Plenary meeting is an anniversary one - 20 years since the creation of the commonwealth of the KP countries and the adoption of the Kimberley Process Certification Scheme (KPCS), approved in October 2002 in Interlaken (Switzerland) by adopting a historic document - the Interlaken Declaration. This declaration was signed by heads of delegations from many countries, including Russia. All of these countries, and those countries that joined the KP later, committed themselves to comply with the requirements of the KPCS. And this observance is a pass to the ranks of the brotherhood of the KP countries.

One of the fundamental principles of KP is: "participants acknowledging that state sovereignty should be fully respected and the principles of equality and mutual benefits should be adhered". It is written in the last paragraph of the Preamble to the KPCS. It is also laid down in a number of relevant resolutions of the UN General Assembly under the general title "On the role of diamonds in fueling conflicts ..."

At present, there is an urgent need to emphasize this thesis. Please note that the Russian Federation and Belarus do not share the values of the KP and undermine the international order based on the rules of the KPCS, which directly concerns not only the relations of these countries with Ukraine, but also the activities of the entire Kimberley Process.

Everyone obviously knows the consequences of the war waged by the Russian Federation against Ukraine and which is actively supported by Belarus - tens of thousands of dead innocent people of Ukraine, the total genocide of Ukrainians, hundreds of thousands of children stolen and taken to Russia, mass looting and rape, actually erased by rocket and shelling many cities and villages of Ukraine from the

face of the earth, the deliberate destruction of the infrastructure of Ukraine, on which the supply of electricity, water and heat to the population depends, blocking the export of food from Ukraine to Africa, which is aimed at artificially creating hunger in a number of African regions and other similar violations international law.

The true face of the leadership of this country is clearly traced in the letters of Russia to the KP Chair, in publications and in all international activities of Russia - professional lies and disinformation. With regard to the KP, there is a clear substitution of the implementation of the goals and the requirements of the KPCS by disinformation attacks against Ukraine and whitewashing itself as an exclusively responsible participant in the KP.

The goals of Ukraine are not only to protect its sovereignty, but also to protect the main goals of the KP - the promotion of peace, security and stable development, as well as to contribute to the implementation of the requirements of the KPCS and the recommendations of the KP Administrative Decisions.

At this meeting, it is planned to discuss the issue of redefining the term "conflict diamonds" in the KPCS. The realities of life are such that diamonds are involved in financing not only rebel movements against legitimate governments, but also the bloody actions of states such as Russia, directed against a neighboring peaceful state, an equal participant in the KP - Ukraine. We not only ask, but we demand to take this into account.

We also draw the attention of the KP to the need to implement its own Administrative Decisions (AD), in particular regarding the implementation of the KP AD from 2017 "Chairmanship in the working bodies of the Kimberley Process", which states that the chairmanship of such KP bodies should be suspended if the country is under UN sanctions. Russia is under such sanctions, in particular, according to UN General Assembly Resolution ES-11/1 of March 2, 2022 "Aggression against Ukraine", which strongly condemns Russia and its invasion of Ukraine, but continues to chair the "Committee on Participation and Chairmanship" and "Committee on Rules and Procedures". In addition, this country, in violation of the AD regarding the rules for submitting quarterly statistics of mining and trade in diamonds, did not submit its statistics on the KP website for the current year.

Based on the foregoing, we consider it immoral to leave the Russian Federation and Belarus in the KP brotherhood. We call on the Plenary Meeting, as the highest authority to discuss the effectiveness of the KP certification scheme, to decide on the non-compliance of the Russian Federation and Belarus with the KPCS requirements and to suspend their membership in the KP, at least until the end of the Russian war against Ukraine and the complete withdrawal of Russian troops and weapons from Ukraine.

Yours faithfully,



Andrii TKALENKO

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Government  
of Canada

Gouvernement  
du Canada

October 24, 2022

Jacob Thamage,  
Chair of the Kimberley Process

Dear Mr. Thamage,

Thank you for the invitation to the Plenary Meeting of the Kimberley Process in Gaborone November 1-4, 2022. Canada is pleased to be able to attend. We were also pleased to have voted alongside Botswana in favor of the UN General Assembly resolution that was adopted by an overwhelming majority, on October 12, 2022, condemning Russia's sham referenda and illegal attempted annexation attempts in Ukraine, and reiterating the General Assembly's call for an end to Russia's use of force against Ukraine.

Two decades ago the Kimberley Process was established as a conflict prevention and trade regulation mechanism in line with the Charter of the United Nations and relevant resolutions in response to the pressing global issue of conflict diamonds. It brought together governments, civil society and industry with remarkable success. Unfortunately, today this mechanism is being sorely tested. As long as Russia continues to breach international law and hold the UN Charter in contempt the full benefits of the Kimberley Process cannot be realized.

Russia's unjustifiable invasion of Ukraine, a fellow Kimberley Process participant since its inception in 2003, is a blatant violation of international law and the rules-based international system. In launching this illegal war, Russia is causing widespread humanitarian suffering and senseless deaths of innocent people in Ukraine. The consequences of Russia's actions extend well beyond Ukraine's borders, making it a direct concern to every Kimberley Process participant.

Significant questions persist regarding how Russia is using the revenue from its trade in rough diamonds in relation to its unprovoked aggression. Several major international retailers of diamonds have already refused to purchase diamonds mined in Russia. If the Kimberley Process is to remain a credible guarantor that diamonds exported with a Kimberley Process certificate are actually conflict-free, it cannot refuse to consider the valid questions that have been raised about whether rough diamonds exported by Russia are financing its invasion of Ukraine.

Canada



Government  
of Canada

Gouvernement  
du Canada

It is for this reason that Canada is renewing its request made to you in advance of the June Intersessional, by letter dated June 2, 2022, for a discussion on the implications of the Russian invasion of Ukraine in the context of the Kimberley Process. It is unfortunate that a formal dialogue on this subject has yet to occur through the Kimberley Process despite the support expressed by many members to include this item on the agenda. However, Canada remains hopeful that this will be possible at the November Plenary. Please rest assured that the Canadian delegation will be at your disposal to support any efforts that may assist in achieving this goal.

Respectfully yours,

Urban, Cheryl Digitally signed by Urban, Cheryl  
Date: 2022.10.25 08:43:05 -04'00'

Cheryl Urban  
Director General  
Economic Development, GAC



Dear Chair of the Kimberley Process,  
Dear Jacob Thamage,

Thank you for serving as Chair of the Kimberley Process (KP) this year. The United States delegation looks forward to traveling to Gaborone for the KP Plenary meeting in November and working constructively.

We are writing to request that the KP plenary agenda include an item examining the implications for the Kimberley Process arising from the Russian Federation's aggression towards Ukraine, with support from Belarus. We believe this is vital to the credibility of the KP and the Kimberley Process Certification Scheme.

This letter reiterates a similar request the United States made in advance of the KP Intersessional meeting in June. Since that time, the United Nations General Assembly passed a resolution condemning Russia's attempted annexation of Ukrainian territory, an effort that underscores how the Kremlin and its supporters are seeking to undermine the legitimate government of another Participant. It is important to note that most KP Participants declined to support Russia's attempt to block this resolution.

The Russian Federation's premeditated, unprovoked and unjustified war against the people and government of a fellow KP Participant cannot be ignored. The KP must assess Russia's compliance with the Kimberley Process Minimum Requirements, including the fundamental requirement that no conflict diamonds be exported from its territory. The KP should also assess the Participant's noncompliance to date with submitting the required KP statistics to the Chair of the Working Group on Statistics in 2022.

Based on this context, the KP should also consider the Russian Federation's standing in the Kimberley Process, including whether it should retain its position as Chair of two Working Groups. Even if the KP does not reach consensus on the question of whether there are conflict diamonds in Russia, we believe that neither Russia nor its supporters should hold positions of responsibility within the KP due to the ongoing aggression towards Ukraine. We are also opposed to Belarus serving as vice-chair of the KP in 2023.

The United States remains committed to the Kimberley Process. We wish to safeguard its credibility and legitimacy, and we respectfully reiterate our request that KP participants and observers be able to examine these fundamental and existential issues during the Plenary meetings in Gaborone.

Thank you,

Whitney Baird  
Principal Deputy Assistant Secretary  
Bureau of Economic and Business Affairs  
U.S. Department of State



**МІНІСТЭРСТВА ФІНАНСАЎ  
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26.10.2022 № 17-1-34/287

на № \_\_\_\_\_ от \_\_\_\_\_

**МИНИСТЕРСТВО ФИНАНСОВ  
РЕСПУБЛИКИ БЕЛАРУСЬ**

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ОАО «АСБ Беларусбанк», БИК АКВВ ВУ 2Х

To the Chair of the Kimberley Process,  
Mr. Jacob Thamage

Dear KP Chair,

Dear Mr. Thamage,

Please let us reiterate our highest praise for your leadership this year to provide a work environment where KP can be at its most effective.

However, yet again our Family is being sabotaged by politicised attempts to distract us from ensuring the stability of the diamond industry.

Belarus denounces baseless accusations made against us trying to discredit our excellent record in the KP. It goes against the harmonized manner of conduct we have cultivated in the KP for the past 20 years.

We adhere to rules and procedures created by the KP Family consensus in the past. Thus, according to rule 6 of the Administrative Decision "Rules of Procedure of Meetings of the Intersessional and the Plenary Meeting, and its Ad Hoc Working Groups and Subsidiary Bodies" the provisional agenda for this Plenary should have been submitted to all Participants and Observers at least four weeks in advance of the opening.

Moreover, KP already made a decision on the issue at the Intersessional in Kasane. Thus, we cannot accept any discussion beyond what is outlined in the provisional agenda that was circulated on 24 October 2022.

Yours sincerely,

KP Focal Point of Republic of Belarus

Ivan G. Stepanenko



## Foreign, Commonwealth & Development Office

King Charles Street,  
London,  
SW1A 2AH

26 October 2022

Dear Chair of the Kimberley Process,  
Dear Mr. Jacob Thamage,

Thank you for sharing the draft agenda for this year's Plenary meeting, taking place in Gaborone. The UK looks forward to continuing to support Botswana during its term as Chair of the Kimberley Process, in particular your efforts to strengthen the Kimberley Process and have a positive impact on responsible sourcing.

However, the UK would like to re-state our support for space to be made on the Plenary agenda to enable discussion of the implications of Russia's illegal war in Ukraine in a Kimberley Process context. The Kimberley Process should be well placed to consider this, and it is right that it does so. As we said during the Intersessional meeting, as the right mechanisms for doing this are established, it is not appropriate for Russia to hold leadership positions in the Kimberley Process, nor for it to prevent the Kimberley Process from having a necessary debate on this issue, which is central to the its purpose.

That the Kimberley Process will struggle to do this is a clear example of why KP reform is urgently needed. As we said in our letter to you in May 2022, all KP participants and observers have a responsibility to uphold the principles and values on which the KP was founded. This is necessary to protect our collective achievements and to address current challenges, to ensure that the KP remains relevant and credible in the world today.

We look forward to continuing to work with you on this and other important matters

Yours sincerely,

**Annie McGee**

UK Kimberley Process Focal Point  
and Head of Conflict Minerals and Private Security Standards Team  
Open Societies and Human Rights Directorate



27 October 2022

Mr Jacob Thamage  
Chairperson  
Kimberley Process

Dear Mr Thamage,

I write to thank you for your invitation to Australia for the Kimberley Process Plenary in November. I look forward to Australia's participation at the Plenary and appreciate the considerable efforts of Botswana in making the meeting a success. Australia appreciates the professionalism and integrity with which Botswana has undertaken its role as Chair.

Further to my letter of 2 June, I would like to draw attention, once again, to Russia's unilateral, illegal and immoral aggression against the people of Ukraine and its implications for the Kimberley Process. Russia's invasion is a gross violation of international law and the Charter of the United Nations and is fundamentally at odds with the purpose of the Kimberley Process as a conflict prevention mechanism. It is important that the Kimberley Process considers Russia's actions and their compatibility with Kimberley Process requirements.

I write to lend Australia's support to the 28 September letter of the European Commission, and echo its call for space to be made in the Plenary agenda to enable a discussion of the implications of Russia's illegal invasion of Ukraine in the context of the Kimberley Process. The ongoing efficacy of the Kimberley Process will depend on its ability to remain relevant to the international environment in which it operates, and its mandate of conflict prevention must remain central to its deliberations and activities.

We look forward to engaging with you further at the upcoming Plenary.

Yours sincerely

Helen Stylianou  
First Assistant Secretary  
Trade Resilience and Indo-Pacific Economic Cooperation Division



МИНИСТЕРСТВО ФИНАНСОВ РОССИЙСКОЙ ФЕДЕРАЦИИ  
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27.10.2022 № 22-05-07/104246

На № \_\_\_\_\_

Chair of the Kimberley Process,  
Mr. Jacob Thamage

Honorable Chair of the Kimberley Process,

Dear Mr. Jacob Thamage,

We consider the latest letter by the Ukrainian State Gemmological Centre of 21 October 2022 №71000-1/2110/22-1 as yet another malicious attempt to sabotage the upcoming Plenary and the current work of the Kimberly Process as a whole.

The deliberate provocation by the Ukrainian side is by all odds beneath contempt. The unsubstantiated accusations, facts spinning and bare-faced lies, contained in the letter mentioned, solely demonstrate the disrespect of the Ukrainian side for other KP Participants.

We will not tolerate any violation of the existing KP rules and procedures.

The deplorable actions by the Ukrainian side infringe the provisions of KP/2021/Plenary/Administrative Decision 02 and contradict the consensus reached on the matter by KP Participants during the Intersessional meeting in Kasane.

We therefore strongly object to the requests by Ukraine to alter the order of business suggested by the KP Chair for the Plenary – both in terms of the additional agenda item, as well as the proposed opening remarks by the Ukrainian representative.

Dear Chair,

The Russian side expresses its consistent readiness to support your efforts in conducting a successful Plenary meeting in full conformity with the spirit and regulations of the Kimberley Process.

Yours faithfully,

Director of the Department of state regulation  
in the sphere of precious metals  
and precious stones of the Ministry of Finance  
of the Russian Federation

Yuliya A. Goncharenko

**КЫРГЫЗ  
РЕСПУБЛИКАСЫНЫН  
ФИНАНСЫ МИНИСТРЛИГИ**



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**МИНИСТЕРСТВО  
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28.10.2022 N 23-04/350  
На N \_\_\_\_\_ от \_\_\_\_\_

**Chair of Kimberley Process**

**Mr. Jacob Thamage,**

**Honorable Chair of Kimberley Process,**

**Dear Mr. Jacob Thamage,**

On behalf of the Kyrgyz Republic, the Department of Precious Metals under the Ministry of Finance of the Kyrgyz Republic in advance of the KP Plenary in Gaborone would like to state that we could only agree upon discussing the preliminary agenda distributed among Participants and Observers on 24 October 2022.

We believe that any further issues should not be allowed for discussion as per the rules of the Plenary outlined in the Administrative Decision adopted in Moscow in 2021. In addition, we are concerned that political issues are allowed in the KP, as we understand that the decision not to do that has already been made in Kasane.

Honorable Chair, we would like to take this opportunity to express our gratitude for your professional and effective conduct during this challenging year.

**Kind regards,  
Deputy Director**

**M. Jumanova**

Department of Precious Metals under the  
Ministry of Finance of the Kyrgyz Republic  
Mr. N. Saralaev, +996 312 545377



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MINISTRY OF ECONOMY  
OF THE REPUBLIC OF ARMENIA  
DEPUTY MINISTER

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« \_\_\_\_ » \_\_\_\_\_ 2022թ

The Honourable Jacob Thamage  
Chair of the Kimberley Process  
Gaborone, Botswana

Dear Mr. Jacob Thamage,

Let me express my compliments to your Chairmanship in the Kimberley Process (KP) and wish successful and productive discussion during the Kimberley Process Plenary Meeting taking place on November 1-5, 2022 in Gaborone (Republic of Botswana).

The Ministry of Economy of the Republic of Armenia values de-politicized nature of the KP activities, which in our view should be maintained for preserving effective global diamond industry.

With that in mind, let me inform you that the Republic of Armenia supports the initial version of agenda circulated to all KP Participants and Observers on October 24.

We trust that adoption of this agenda will contribute to fruitful cooperation in the KP thus helping the Process to achieve its primary goals and objectives.

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Signer0

Best regards, Signed by: TERYAN NAREK 2103870832

NAREK TERYAN

BANCO CENTRAL DE VENEZUELA  
PRESIDENCIA

RIF: G-20000110-0

Caracas, October 31, 2022

OPK-019

Your Excellency Sir  
Jacob Thamage  
Chair of the Kimberley Process

Dear Sir

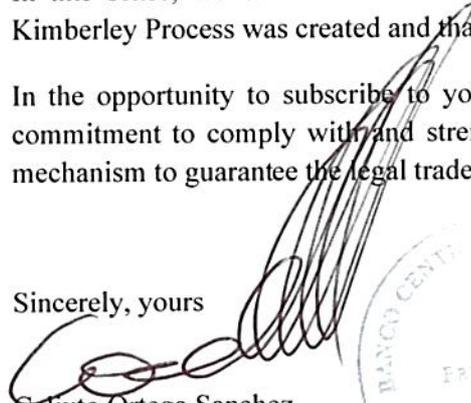
I have the honor of writing to you, in the opportunity to extend a cordial institutional greeting, and at the same time, congratulate you for the management you have been developing as President of the Kimberley Process.

In the same way, the occasion is suitable to ratify the importance that for the Central Bank of Venezuela has the faithful fulfillment of the Central Document of the Kimberley Process Certification System, which establishes the normative order of the same, and whose impartial observance guarantees the adherence unrestricted to the technical aspects that have characterized our great family of the Kimberley Process.

In this sense, we believe that the incursion of political elements that distort the nature for which the Kimberley Process was created and that threaten the achievement of its own goals should not be allowed.

In the opportunity to subscribe to you, I ratify my feelings of esteem and consideration, as well as our commitment to comply with and strengthen the precepts that support the Kimberley Process as the ideal mechanism to guarantee the legal trade of diamonds and their "non-conflict" origin.

Sincerely, yours

  
Calixto Ortega Sanchez  
President



BANCO CENTRAL DE VENEZUELA  
PRESIDENCIA

RIF: G-20000110-0

Caracas, 31 de octubre de 2022

OPK-019

Excelentísimo Señor  
Jacob Thamage  
Presidente del Proceso Kimberley

Su Excelencia:

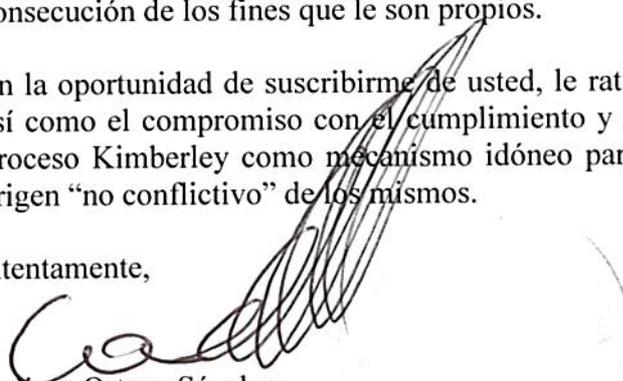
Tengo el honor de dirigirme a usted, en la oportunidad de extenderle un cordial saludo institucional, y a la vez, felicitarle por la gestión que viene desarrollando como Presidente del Proceso Kimberley.

De igual manera, resulta oportuna la ocasión para ratificar la importancia que para el Banco Central de Venezuela tiene el fiel cumplimiento del Documento Central del Sistema de Certificación del Proceso Kimberley, el cual establece el orden normativo del mismo, y cuya observancia imparcial garantiza el apego irrestricto a los aspectos técnicos que ha caracterizado a nuestra gran familia del Proceso Kimberley.

En este sentido, consideramos que no se debe permitir la incursión de elementos políticos que desvirtúen la naturaleza para el cual fue creado el Proceso Kimberley y que amenacen la consecución de los fines que le son propios.

En la oportunidad de suscribirme de usted, le ratifico mis sentimientos de estima y consideración, así como el compromiso con el cumplimiento y fortalecimiento de los preceptos que respaldan al Proceso Kimberley como mecanismo idóneo para garantizar el comercio legal de diamantes y el origen "no conflictivo" de los mismos.

Atentamente,



Calixto Ortega Sánchez  
Presidente

**Mr. Chairman of the Kimberley Process,**

**Dear Mr. Jacob Thamage,**

The Central African Republic presents its compliments and has the honor to bring to your attention the following.

In the context of preparation to the KP Plenary Meeting scheduled from November 1 to 5, 2022 in Gaborone (Republic of Botswana), I would like to point out the ongoing cases of politicization of the activities of the Kimberley Process by a number of countries raising the issues, which are out of the scope of the KP. Those attempts threaten the current KP work and will certainly have a negative impact on the global diamond industry.

In order to maintain the high-level multilateral interaction in the KP and to avoid any kind of politicization during Your efficient Chairmanship I am pleased to inform you that the Central African Republic supports the preliminary version of agenda from October 24, circulated to all KP members without adding any complementary politicized points.